

11/6/77

Dear Les,

While I'm awaiting Bud, who is a bit later than I'd expected, this explanation of the attached single-page record I believe is sufficient. One page also takes little time to read.

But if you want more I've done an entire book on it and you have it, Whitewash IV-- the one with the orange cover. It includes a condensation of a word-by-word comparison of the actual transcript and what Ford did with it after he stole it despite its TOP SECRET classification, and then lied about this under oath in his confirmation hearings.

I do wonder if I had not had the transcript and the opportunity to report what Ford (and Stiles) did with it denied by withholding of this transcript for about six or seven years if history might not have been different. We have no way of knowing. The state of the country was such a "mongolian Idiot" could have been confirmed to replace Agnew and await Nixon's going. And then the question, would Nixon have selected him.

Conjectures there can be. Pick your own.

What is not conjectural is the deliberate abuse of the Act and of my rights and of the right of the people to know through me in the withholding of the transcript for reasons that are more than merely outside FOIA and Congressional purpose. These official abuses are those the Congress intended to end. The legislative history of the 1966 Act (effective 7/4/67) is specific in stating that avoidance of the embarrassing was the general actuality when bureaucrats claimed "national interest" in not complying with the Administrative Practices Act.

Compare with this to-now secret record.

I sought all of those of which this is part and had to abandon that quest once I was limited by illness. It was carried forth and successfully by a young friend Howard Roffman. This copy was belatedly sent me by the Archives when they bowed to Howard's determination. So while I made the initial request and this is a copy my wife has made for you of my copy I'd still appreciate it if you'd like to use it if you'd speak to Howard. He is clerk to a federal appeals-court judge in the New Orleans circuit, based in Jacksonville. His office phone is no problem. His home phone is 904/743-5845. Tuesday or Wednesday he is to be in New Orleans to address the convention of the professional historians, sort of an antidote to Lane, squirreled in by the professorial nuts who are the hosts of the convention.

Were Howard my grandson, the age difference between us, I could be no more proud of him. He wrote his first book when he was in high school, has had two published and while doing all of this and much more maintained a fantastic scholastic average.

I've read all the records in this batch. If Bud comes I'll ask him to take a set to Jim. You'll be welcome to access through him or through me, here, where I can take time to explain to one of your reporters what the dirtyworks mean in terms of suppressing evidence and nullifying the FOIA.

Now on this I'm willing to theorize. These records represent an official plot against the right of the people to know. Apropos of the Post's head on your today's column these records also reflect the deliberate Nixonizing of FOIA. The administration policy after Nixon came in is made explicit in one or more of these once-secret internal records.

I'll not give this record to anyone else for a day or two, time for you to let me know if you are interested and if you want more. If Bud is so delayed he does not get here I'll mail this in the morning.

Best,